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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 389 of 2002

Petitioner		M/s G.H. Jani Bidi's Pvt. Ltd., Kamptee Lane, Rajnandgaon (C.G.), through its Managing Director Shri Mahesh Jani S/o late Gunavant Rai Jani, aged about 44 years, R/o Kamptee Lane, Rajnandgaon (C.G.)
	Versus	
Respondents	1.	Rajgami Sampadha through its Manager, Rajgami Sampadha, Rajnandgaon (C.G.)
	2.	Tehsildar Rajnandgaon, Dist : Rajnandgaon – (C.G.)

Writ petition under Article 226/227of the Constitution of India

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**.

Present : Shri P.K. Bhaduri, counsel for the petitioner.
Shri B.P. Gupta, Advocate for the respondents.

ORDER

(Passed on this 28th day of June, 2007)

(1) By this petition, the petitioner seeks to challenge the legality and validity of the notice dated 08.02.2002 (Annexure A-7), whereby the petitioner was called upon to deposit the balance amount of Rs.2,02,875/- as arrears of rent.

(2) Being aggrieved, the petitioner has challenged the calculation of arrears of rent for the property in question in this petition under Article 226 of the Constitution of India. According to learned counsel for the petitioner, the property is a State property, thus, the petitioner cannot take recourse to remedy under the provisions of the Chhattisgarh Accommodation Control Act, 1961.

(3) The facts involved in this petition are disputed questions of facts and there is no infringement of any legal or fundamental right. The disputes raised herein this petition can be resolved under the other provisions that is

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the Chhattisgarh Lok Parisar (Bedakhali) Adhiniyam, 1974 or the remedy available under the civil jurisdiction.

(4) Thus, this petition has no merit as it involves disputed question of facts. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to take recourse to any other alternative remedy that may be available to him under the provisions of law.

Sd/-
Satish K. Agnihotri
Judge

Karuna